



PATENT

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Serial No.: 10/622,755)
Filed: July 18, 2003)
For: AN EXPIRATORY LIMB FOR A)
BREATHING CIRCUIT)
Applicant: SMITH et al.)
Examiner: Not yet assigned)
Art Unit: Not yet assigned)
Attorney Ref: 1171/39359A/95A-DIV)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

December 5, 2003

Tiffany E. Sexton

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313/1450

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant is not aware of any material prior art but, in an abundance of caution and candor, Applicant submits the present Supplemental Information Disclosure Statement and Form PTO-1449.

Also enclosed is an abstract of Australian Publication No. 200143823. It is relevant because it discloses a breathing circuit component that includes an inlet, an outlet and an enclosing wall. The enclosing wall defines a gases passageway between the inlet and the outlet. At least a region of the enclosing wall is formed from a breathable material that allows the passage of water vapour without allowing the passage of liquid water or respiratory gases. The breathing circuit component may be the expiratory limb for a breathing circuit.

Applicant also advises the Examiner of co-pending United States patent application Serial No. 10/563,821.

This Supplemental Information Disclosure Statement is being filed before the receipt of the first Office Action on the merits and constitutes a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56

exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

Should the Examiner believe a fee is required, the United States Patent and Trademark Office is hereby authorized and requested to charge the fee to the deposit account of the undersigned firm, Account No. 20-1495.

Respectfully submitted,

Dated: Dec. 2003

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Sheet 1 of 1

Form PTO-1449 (Rev. 2-83)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE							ATTY. DOCKET NO. 1171/39359A 95A-DV		SERIAL NO. 10/622,755				
INFORMATION DISCLOSURE STATEMENT BY APPLICANT									APPLICANT: Smith et al.						
									FILING DATE: July 18, 2003		GROUP Not yet Assigned				
U.S. PATENT DOCUMENTS															
*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME		CLASS	SUB CLASS	FILING DATE IF APPROPRIATE	
		3	8	8	9	7	1	7		Obadal et al.					
		4	2	6	5	2	3	9	05/05/81	Fischer, Jr. et al.					
		4	3	3	6	7	9	8	06/29/82	Beran					
		4	4	2	0	0	1	6	12/13/83	Nichols					
		4	4	5	6	0	3	4	06/26/84	Bixby					
		6	0	7	8	7	3	0	06/20/00	Huddart et al.					
		4	0	0	7	7	3	7	02/15/77	Paluch					
		4	2	0	7	4	5	7	06/10/80	Haglund et al.					
		4	3	2	7	7	7	5	05/04/82	Tally					
		4	6	5	3	5	4	2	03/31/87	Tascher					
		4	6	8	6	3	5	4	08/11/87	Makin					
		4	6	9	8	8	9	0	10/13/87	Neaves					
		4	7	9	1	9	6	3	12/20/88	Gronert et al.					
		5	8	9	4	8	3	9	04/20/99	Rosenkoetter et al.					
		6	1	4	8	8	1	8	11/21/00	Pagan					
		6	1	6	7	8	8	3	01/02/01	Beran et al.					
		6	5	3	6	4	2	8	03/25/03	Smith et al.					
		3	9	1	0	8	0	8	10/07/75	Steward					
FOREIGN PATENT DOCUMENTS															
												CLASS	SUB CLASS	TRANSLATION	
		WO	9	7	1	8	0	0						1	YES
		WO	9	7	1	8	0	0	1	05/22/97	International				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)															
		United States Patent Application Publication No. 2002/0002976 Published on January 10, 2002 entitled Conduit With Heated Wick; Inventors Smith and Baldwin													
		Australian Patent Application No. 200143823 Published on November 15, 2001 entitled Components for Breathing Circuits; Inventors Smith, Baldwin, Powell and Millar													
EXAMINER									DATE CONSIDERED						
<p>*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>															
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